IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.908 OF 2003

Nandoo Rege .. Applicant.
Vs.
Nikhil Vyas & Anr. .. Respondents.

Smt.Madhubala Shetty i/b Harshad Bhadbhade for the applicant.
Mr.P.A.Pol A.P.P. for the State.

CORAM : D.B.BHOSALE, J.

DATED : 11TH AUGUST, 2006

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. In this application, on 23.11.2005 the notice was issued to the respondents and the applicant was directed to file affidavit of service. It is not clear whether the notice has been served on respondent no.1 since I do not find the affidavit of service on record. Even the learned advocate for the applicant is not in a position to state whether the affidavit of service has been filed or not. In the circumstances, issue fresh notice to respondent no.1, returnable in four weeks. In addition to the Court notice, the applicant shall serve respondent no.1 by the advocate’s notice either personally or through

R.P.A.D./speed post /e-mail/fax and file affidavit of service within four weeks from today, failing which, this application shall stand dismissed for non prosecution without further reference to the Court, even if the court notice remains unserved. Stand over for four weeks.

(D.B.Bhosale, J.)